

DOCKET NO. M0765.70044US01

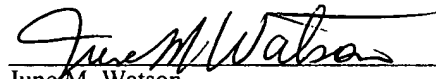
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : FRANCIS, et al.  
 U.S. Serial No. : 10/526,579  
 Confirmation No. : 3818  
 Int'l Filing Date : September 4, 2003  
 Title : DELIVERY OF THERAPEUTICS TO THE BRAIN AND SPINAL CORD

Examiner: : Not yet assigned  
 Art Unit : Not yet assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of January, 2006.

  
 June M. Watson

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Copy of Notification of Missing Requirements
- ☒ Declaration for Patent Application (2)
- ☒ Communication
- ☒ Copy of Page 2 of the Transmittal Letter, Form PTO-1390
- ☒ Return Receipt Postcard

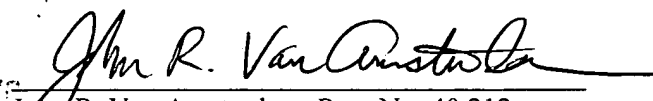
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$65.00 is enclosed to cover the surcharge. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

01/12/2006 ATRAH1 00000049 10526579

01 FEB 06 65.00 CP

Respectfully submitted,  
*Francis, et al., Applicant*

  
 John R. Van Amsterdam, Reg. No. 40,212  
 WOLF, GREENFIELD & SACKS, P.C.  
 600 Atlantic Avenue  
 Boston, Massachusetts 02210  
 Telephone: (617) 646.8000

Docket No. M0765.70044US01  
 Dated: January 6, 2006  
 x01/08/06x

**COPY**

Page 1 of 2  
 JRV  
 PCT

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/526,579	FIRST NAMED APPLICANT Jonathan Francis	ATTY. DOCKET NO. MO765.70044US01
---	---	-------------------------------------

INTERNATIONAL APPLICATION NO. PCT/US03/27816	
I.A. FILING DATE 09/04/2003	PRIORITY DATE 09/06/2002

23628  
 WOLF GREENFIELD & SACKS, PC  
 FEDERAL RESERVE PLAZA  
 600 ATLANTIC AVENUE  
 BOSTON, MA 02210-2211

CONFIRMATION NO. 3818

371 FORMALITIES LETTER



\*OC000000017405396\*

Date Mailed: 11/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/04/2005
- Copy of the International Search Report filed on 03/04/2005
- Preliminary Amendments filed on 03/04/2005
- U.S. Basic National Fees filed on 03/04/2005
- Priority Documents filed on 03/04/2005
- Specification filed on 03/04/2005
- Claims filed on 03/04/2005
- Abstracts filed on 03/04/2005
- Drawings filed on 03/04/2005

DOCKETED  
 NOV 11 2005

Confirmation	<input type="checkbox"/>	Initials
Docketing	<input checked="" type="checkbox"/>	<i>[Signature]</i>
01/08/06		

JRV

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$430** for a Large Entity:

- **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$100** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,579	PCT/US03/27816	MO765.70044US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

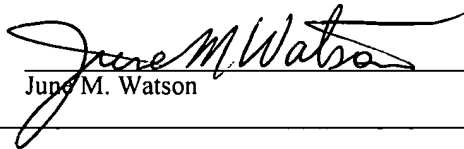
Applicant : FRANCIS, et al.  
U.S. Serial No. : 10/526,579  
Confirmation No. : 3818  
Int'l Filing Date : September 4, 2003  
Title : DELIVERY OF THERAPEUTICS TO THE BRAIN AND SPINAL CORD

Examiner: : Not yet assigned  
Art Unit : Not yet assigned

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of January, 2006.

  
June M. Watson

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION**

Sir:

This is in response to the Notification of Missing Requirements mailed November 8, 2005.

In the Summary of Fees Due section, it was noted that the fees due are for amounts appropriate for a large entity. Please note that the Applicant claims small entity status. This was indicated on page 2 of the national phase transmittal letter filed on March 4, 2005. A copy of page 2 of the transmittal letter is enclosed.

When Applicant filed the national phase application, a check was submitted in the amount of \$300.00 for the filing fees. The fees were calculated based on Applicant claiming small entity status and were paid as such at a 50% reduced rate. The following fees were paid, as

indicated on page 2 of the national phase transmittal letter:

\$ 150.00 - Basic national fee of \$300, reduced by 50%

\$ 100.00 - Examination fee of \$200, reduced by 50%

\$ 50.00 - Search fee of \$100, reduced by 50%


**\$ 300.00** - Total fees paid

Therefore, only a surcharge of \$65.00 is due at present with the filing of the Declaration in response to the Notification of Missing Requirements. No other additional fees are due.

If there are any questions or concerns with the above, the Commissioner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If any other fee is due, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
***FRANCIS et al., Applicant***

  
\_\_\_\_\_  
John R. Van Amsterdam, Reg. No. 40,212  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Telephone: (617) 646.8000

Docket No. M0765.70044US01  
Dated: January 6, 2006  
**x01/08/06x**